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Michael B. Ray  
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John M. Covert  
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Robert C. Millionig  
Donald J. Featherstone  
Timothy J. Shea, Jr.  
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Jeffrey T. Helvey  
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Vincent L. Capuano  
Brian J. Del Buono  
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Elizabeth J. Haanes  
Joseph S. Ostroff  
Frank R. Cottingham  
Rae Lynn P. Guest  
Daniel A. Klein

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Michael D. Specht  
Andrea J. Kamage  
Tracy L. Muller  
Jon E. Wright  
LuAnne M. DeSantis  
Ann E. Summerfield  
Aric W. Ledford  
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Cynthia M. Bouchez  
Timothy A. Doyle  
Gaby L. Longworth  
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\*Admitted only in Maryland  
\*Admitted only in Virginia  
\*Practice Limited to  
Federal Agencies

September 26, 2005

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**INTERNET ADDRESS:**  
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Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**Art Unit 2876**

**Attn: Mail Stop Amendment**

Re: U.S. Utility Patent Application  
Appl. No. 10/693,687; Filed: October 27, 2003  
For: **Optimization of a Binary Tree Traversal With Secure Communications**  
Inventors: POWELL *et al.*  
Our Ref: 1689.0320001

Sir:

Transmitted herewith for appropriate action are the following documents:

1. PTO Fee Transmittal Form (PTO/SB/17);
2. First Supplemental Information Disclosure Statement;
3. A listing of the cited documents on Form PTO-1449 (6 pages);
4. Copies of the cited documents (AL1-AP1 and AL2);
5. One (1) return postcard; and
6. Credit Card Payment Form (PTO-2038) in the amount of \$180.00 to cover the Information Disclosure Statement Fee.


It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents  
September 26, 2005  
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read "Jeffrey S. Weaver", is written over a horizontal line.

Jeffrey S. Weaver  
Attorney for Applicants  
Registration No. 45,608

RES/JSW:apg  
Enclosures

446206\_1.DOC



Equivalent to Form  
PTO/SB/17 (12-04)  
Approved for use through 07/31/2006.

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number

Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

## FEE TRANSMITTAL For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)**180.00**

### Complete if Known

Application Number	10/693,687
Filing Date	October 27, 2003
First Named Inventor	Kevin J. POWELL
Examiner Name	Kim, Ahshik
Art Unit	2876
Attorney Docket No.	1689.0320001

### METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: **19-0036** Deposit Account Name: **Sterne, Kessler, Goldstein & Fox P.L.L.C.**

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

### FEE CALCULATION

#### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

#### 2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

**Total Claims** \_\_\_\_\_ **Extra Claims** \_\_\_\_\_ **Fee (\$)** \_\_\_\_\_ **Fee Paid (\$)** \_\_\_\_\_

HP = highest number of total claims paid for, if greater than 20

**Indep. Claims** \_\_\_\_\_ **Extra Claims** \_\_\_\_\_ **Fee (\$)** \_\_\_\_\_ **Fee Paid (\$)** \_\_\_\_\_

HP = highest number of independent claims paid for, if greater than 3

#### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

**Total Sheets** \_\_\_\_\_ **Extra Sheets** \_\_\_\_\_ **Number of each additional 50 or fraction thereof** \_\_\_\_\_ **Fee (\$)** \_\_\_\_\_ **Fee Paid (\$)** \_\_\_\_\_

\_\_\_\_\_ - 100 = \_\_\_\_\_ / 50 = \_\_\_\_\_ (round up to a whole number) x \_\_\_\_\_ = \_\_\_\_\_

#### 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other: **Submission of Information Disclosure Statement**

**Fees Paid (\$)**

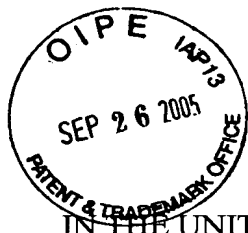
**180.00**

#### SUBMITTED BY

Signature		Registration No. (Attorney/Agent)	45,608	Telephone	(202) 371-2600
Name (Print/Type)	Jeffrey S. Weaver	Date	September 26, 2005		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

POWELL *et al.*

Appl. No.: 10/693,687

Filed: October 27, 2003

For: **Optimization of a Binary Tree  
Traversal With Secure  
Communications**

Confirmation No.: 8675

Art Unit: 2876

Examiner: Kim, Ahshik

Atty. Docket: 1689.0320001

### **First Supplemental Information Disclosure Statement**

#### ***Mail Stop Amendment***

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Listed on accompanying IDS Forms are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this First Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Information Disclosure Statement filed on July 8, 2004 in connection with the above-captioned application.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

- ☐ 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- ☐ 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution application (CPA), OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, OR before the mailing date of a first Office Action on the merits OR before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.

☒ 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.

☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

☒ c. Attached is our PTO-2038 Credit Card Payment Form in the amount of **\$180.00** in payment of the fee under 37 C.F.R. § 1.17(p).

- ☐ 4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our PTO-2038 Credit Card Payment Form in the amount of \$\_\_\_\_\_ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:

☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

- ☐ 5. The document(s) was/were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office

is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.

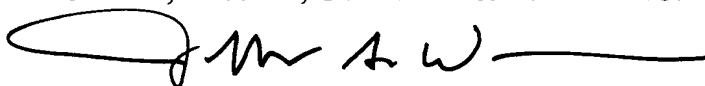
- ☐ 6. A concise explanation of the relevance of the non-English language document(s) appears below in accordance with 37 C.F.R. § 1.98(a)(3).
- ☒ 7. Copies of documents AL1-AP1 and AL2 are submitted. However, in accordance with 37 C.F.R. § 1.98(a)(2), no copies of U.S. patents and patent application publications cited on the attached IDS Forms are submitted.

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

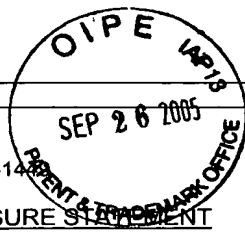


Jeffrey S. Weaver  
Attorney for Applicants  
Registration No. 45,608

Date: September 26, 2005

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Washington, D.C. 20005-3934  
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FORM PTO-148

## INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO.

1689.0320001

APPLICATION NO.

10/693,687

FIRST NAMED INVENTOR

Kevin J. POWELL

FILING DATE

October 27, 2003

ART UNIT

2876

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA1						
	AB1						
	AC1						
	AD1						
	AE1						
	AF1	3,689,885	09/1972	Kaplan <i>et al.</i>			
	AG1	4,225,953	09/1980	Simon <i>et al.</i>			
	AH1	4,418,411	11/1983	Strietzel			
	AI1	4,471,345	09/1984	Barrett, Jr.			
	AJ1	4,495,496	01/1985	Miller, III			
	AK1	4,533,871	08/1985	Boetzkes			

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL1	0 494 114 A2	07/08/1992	EP			Yes No
	AM1	0 585 132 A1	03/02/1994	EP			Yes No
	AN1	0 598 624 A1	05/25/1994	EP			Yes No
	AO1	0 615 285 A2	09/14/1994	EP			Yes No
	AP1	0 496 986 A2	08/1992	EP			Yes No

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>1</u>	
	AS	<u>1</u>	
	AT	<u>1</u>	

EXAMINER

DATE CONSIDERED

**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

FORM PTO-1449

INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO.

**1689.0320001**

APPLICATION NO.

**10/693,687**

FIRST NAMED INVENTOR

**Kevin J. POWELL**

FILING DATE

**October 27, 2003**

ART UNIT

**2876****U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA2	4,598,275	07/1986	Ross <i>et al.</i>			
	AB2	4,636,950	01/1987	Anders <i>et al.</i>			
	AC2	4,656,463	04/1987	Anders <i>et al.</i>			
	AD2	4,862,160	08/1989	Ekchian <i>et al.</i>			
	AE2	5,124,699	06/1992	Tervoert <i>et al.</i>			
	AF2	5,214,409	05/1993	Beigel			
	AG2	5,266,925	11/1993	Vercellotti <i>et al.</i>			
	AH2	5,313,052	05/1994	Watanabe <i>et al.</i>			
	AI2	5,365,551	11/1994	Snodgrass <i>et al.</i>			
	AJ2	5,390,360	02/1995	Scop <i>et al.</i>			
	AK2	5,410,315	04/1995	Huber			

**FOREIGN PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL2	0 578 457 A2	01/1994	EP			Yes No
	AM2						Yes No
	AN2						Yes No
	AO2						Yes No
	AP2						Yes No

**OTHER (Including Author, Title, Date, Pertinent Pages, etc.)**

	AR	<u>2</u>	
	AS	<u>2</u>	
	AT	<u>2</u>	

EXAMINER

DATE CONSIDERED

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10/693,687

FIRST NAMED INVENTOR

Kevin J. POWELL

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October 27, 2003

ART UNIT

2876

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA3	5,420,577	05/1995	Kim <i>et al.</i>			
	AB3	5,430,441	07/1995	Bickley <i>et al.</i>			
	AC3	5,434,572	07/1995	Smith			
	AD3	5,444,223	08/1995	Blama			
	AE3	5,446,447	08/1995	Carney <i>et al.</i>			
	AF3	5,478,991	12/1995	Watanabe <i>et al.</i>			
	AG3	5,489,908	02/1996	Orthmann <i>et al.</i>			
	AH3	5,499,017	03/1996	Beigel			
	AI3	5,500,650	03/1996	Snodgrass <i>et al.</i>			
	AJ3	5,519,381	05/1996	Marsh <i>et al.</i>			
	AK3	5,528,222	06/1996	Moskowitz <i>et al.</i>			

**FOREIGN PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL3						Yes No
	AM3						Yes No
	AN3						Yes No
	AO3						Yes No
	AP3						Yes No

**OTHER (Including Author, Title, Date, Pertinent Pages, etc.)**

	AR	<u>3</u>	
	AS	<u>3</u>	
	AT	<u>3</u>	

EXAMINER

DATE CONSIDERED

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FORM PTO-1449

INFORMATION DISCLOSURE STATEMENTATTY. DOCKET NO.  
**1689.0320001**APPLICATION NO.  
**10/693,687**FIRST NAMED INVENTOR  
**Kevin J. POWELL**FILING DATE  
**October 27, 2003**ART UNIT  
**2876****U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA4	5,537,105	07/1996	Marsh <i>et al.</i>			
	AB4	5,539,394	07/1996	Cato <i>et al.</i>			
	AC4	5,541,928	07/1996	Kobayashi <i>et al.</i>			
	AD4	5,550,547	08/1996	Chan <i>et al.</i>			
	AE4	5,557,280	09/1996	Marsh <i>et al.</i>			
	AF4	5,566,441	10/1996	Marsh <i>et al.</i>			
	AG4	5,576,692	11/1996	Tompkins <i>et al.</i>			
	AH4	5,597,951	01/1997	Doty			
	AI4	5,627,517	05/1997	Theimer <i>et al.</i>			
	AJ4	5,627,544	05/1997	Snodgrass <i>et al.</i>			
	AK4	5,640,151	06/1997	Reis <i>et al.</i>			

**FOREIGN PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL4						Yes No
	AM4						Yes No
	AN4						Yes No
	AO4						Yes No
	AP4						Yes No

**OTHER (Including Author, Title, Date, Pertinent Pages, etc.)**

	AR	<u>4</u>	
	AS	<u>4</u>	
	AT	<u>4</u>	

EXAMINER	DATE CONSIDERED
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FORM PTO-1449

INFORMATION DISCLOSURE STATEMENTATTY. DOCKET NO.  
**1689.0320001**APPLICATION NO.  
**10/693,687**FIRST NAMED INVENTOR  
**Kevin J. POWELL**FILING DATE  
**October 27, 2003**ART UNIT  
**2876****U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA5	5,646,607	07/1997	Shurman <i>et al.</i>			
	AB5	5,648,765	07/1997	Cresap <i>et al.</i>			
	AC5	5,648,767	07/1997	O'Connor <i>et al.</i>			
	AD5	5,673,037	09/1997	Cesar <i>et al.</i>			
	AE5	5,680,459	10/1997	Hook <i>et al.</i>			
	AF5	5,686,888	11/1997	Welles, II <i>et al.</i>			
	AG5	5,686,902	11/1997	Reis <i>et al.</i>			
	AH5	5,689,239	11/1997	Turner <i>et al.</i>			
	AI5	3,520,406	07/1970	Turner			
	AJ5	4,931,788	06/1990	Creswick			
	AK5	5,245,534	09/1993	Waterhouse <i>et al.</i>			

**FOREIGN PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL5						Yes No
	AM5						Yes No
	AN5						Yes No
	AO5						Yes No
	AP5						Yes No

**OTHER (Including Author, Title, Date, Pertinent Pages, etc.)**

	AR	<u>5</u>	
	AS	<u>5</u>	
	AT	<u>5</u>	

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## INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO.

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Kevin J. POWELL

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October 27, 2003

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2876

## U.S. PATENT DOCUMENTS

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	AA6	5,289,372	02/1994	Guthrie <i>et al.</i>			
	AB6	5,434,775	07/1995	Sims <i>et al.</i>			
	AC6	5,528,232	06/1996	Verma <i>et al.</i>			
	AD6	5,583,850	12/1996	Snodgrass <i>et al.</i>			
	AE6	5,774,876	06/1998	Woolley <i>et al.</i>			
	AF6	5,798,693	08/1998	Engellenner			
	AG6	5,515,053	05/1996	Hecht <i>et al.</i>			
	AH6	5,539,775	07/1996	Tuttle <i>et al.</i>			
	AI6	5,591,951	01/1997	Doty			
	AJ6						
	AK6						

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL6						Yes No
	AM6						Yes No
	AN6						Yes No
	AO6						Yes No
	AP6						Yes No

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

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